

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

THOMAS RYBURN,

Plaintiff,

v.

**DARRELL WESTERMAN, and
DAVID TINDALL,**

Defendants.

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Civil No. **07-011-MJR**

ORDER

PROUD, Magistrate Judge:

Before the court is a pleading filed by plaintiff, entitled “Rule 37.1 Complaint.” (**Doc. 62**).

The court first notes that there is no Rule 37.1 in either the Federal Rules of Civil Procedure or in this District’s Local Rules.

As plaintiff expresses dissatisfaction with defense counsel’s response to his discovery requests, the court surmises that plaintiff is seeking an order compelling defendants to respond to his discovery requests, or is seeking sanctions against defendants, or both. However, Local Rule 26.1(b) requires that any discovery motion shall include or be accompanied by a copy of the discovery requests and responses, or a verbatim recitation thereof. Plaintiff’s pleading does not contain this information, and the court is therefore unable to consider the adequacy of the responses to plaintiff’s discovery requests.

If plaintiff wishes to have the court rule on discovery issues, he must follow this District’s Local Rules, as explained above.

Plaintiff also suggests that defendants’ motion for extension of time to file dispositive motions should also include discovery. It is not clear what relief plaintiff seeks here; defendants

moved for an extension of the dispositive motion deadline only, and this what the court granted. If plaintiff seeks an extension of the discovery deadline, he can move for one, noting the guidelines set forth in the scheduling order, **Doc. 28**.

Upon consideration and for good cause shown, plaintiff's "Rule 37.1 Complaint" (**Doc. 62**) is **DENIED**.

IT IS SO ORDERED.

DATED: March 4, 2009.

s/ Clifford J. Proud
CLIFFORD J. PROUD
UNITED STATES MAGISTRATE JUDGE